IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

Bail Appl..No. 6669 of 2007()

CMP.2351/2007 of J.M.F.C.-II, HARIPAD
[CRIME NO.108/2007 OF KAYAMKULAM EXCISE RANGE]

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: PETITIONER/ACCUSED

SOMAVALLY, W/O.VIJAYAN,
CHIRATTAYYATHU, PATHIYOOR,
KIZHAKKUM MURI, PATHIYOOR VILLAGE.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS: COMPLAINANT

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1. EXCISE INSPECTOR, KAYAMKULAM EXCISE RANGE, ALAPPUZHA DISTRICT.

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/11/2007 ALONG WITH BA NO.6671/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.Nos.6669 & 6671 of 2007

Dated this the 5th day of November, 2007

ORDER

These applications for regular bail are filed by the petitioner, a woman, who faces allegations under the Kerala Abkari Act in both crimes. She was allegedly found to be in possession of 9 litres of Indian Made Foreign Liquor on 22.08.07 and 2 litres of Indian Made Foreign Liquor on 29.09.07. The petitioner was arrested on 10.10.07. She continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents other than these 2 cases.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 12.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall, in each case, execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make herself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays for a period of 2 months from the date of her release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-